

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

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STEPHEN D. CAIAZZO,  
Plaintiff

v.

THE MEDALLION INSURANCE  
AGENCIES, INC.,  
Defendant

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CIVIL ACTION NO.  
04-12627 RCL

**PLAINTIFF’S OPPOSITION TO DEFENDANT’S MOTION TO COMPEL FURTHER  
TESTIMONY OF FORMER PLAINTIFF’S ATTORNEY, THOMAS COLLINS**

The defendant has filed a motion to compel further testimony of plaintiff’s former attorney, Thomas Collins, including testimony regarding attorney-client communications. The plaintiff opposes this motion on the grounds that plaintiff did not waive the attorney-client privilege by his testimony and that defendant has not made a sufficient showing to justify the breach of the attorney-client privilege even if plaintiff placed communications “at issue” in his claims or testimony.

Further support for this opposition is set forth in plaintiff’s memorandum in opposition to defendant’s motion to compel.

WHEREFORE, the plaintiff requests the Court to deny defendant’s motion to compel further testimony from Attorney Collins.

By Plaintiff's Attorney,

/s/ Dean Carnahan  
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Dated: October 5, 2005

B-2774-OTM